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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION



TRANSPORTATION DIVISION
OFFICE OF TRANSPORTATION COUNSEL

Steven L. Matrisch

Chief Counsel

February 14, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

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Office of Proceedings
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Public Record

RE: Finance Docket No. 35087, Canadian National Railway Company
and Grand Trunk Corporation – Control – EJ&E West Company

Dear Acting Secretary Quinlan:

Enclosed for filing is a letter from the Illinois Commerce Commission that provides comments on the scope of study for the Environmental Impact Statement in the above-referenced docket.

Sincerely,

A handwritten signature in black ink that reads "Matrisch".

Steven L. Matrisch
Chief Counsel

Enclosure

cc: Service List

Surface Transportation Board

CN-EJ&E HIS - FD-35087

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STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION TRANSPORTATION DIVISION / RAIL SAFETY SECTION

February 11, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street S.W.
Washington, Dc 20423

RE: STB Finance Docket 35087 - Canadian National Railway Company and Grand Trunk Corporation's Acquisition of Control of the EJ&E West Company

Dear Acting Secretary Quinlan:

Thank you for this opportunity to comment on the proposed Canadian National Railway Company's (CN) acquisition of the EJ&E West Company (EJE). Please accept these comments on behalf of the Illinois Commerce Commission (ICC).

The ICC is aware that the Surface Transportation Board (STB), through its Section of Environmental Analysis (SEA), will prepare an Environmental Impact Statement (EIS) for the CN acquisition of the EJE. As part of the EIS process, the SEA conducted "scoping" meetings on January 23, 2008, in Chicago, IL, and January 24, 2008, in Indianapolis, IN.

An ICC representative attended the Chicago Scoping Meeting. Based on the information provided at that meeting, ICC staff believes that the SEA should expand the scope of the part of the EIS that will address highway-rail grade crossings. We believe the EIS should look beyond the normal exposure risk analysis that is used to predict train/vehicle collisions whether grade crossings are deemed "safe", and include the following analyses:

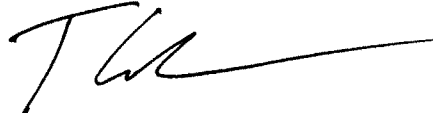
- Evaluate and summarize downstream roadway features and operational characteristics that may cause traffic queuing through a crossing. The EIS analysis should include the effects of the increased train/vehicle exposure rates and should investigate any potential increases in queuing due to the increased number of train events, including the possibility of back to back trains. This should entail observing each crossing during peak hour traffic (both AM and PM periods).
- Evaluate and summarize alternate routes that traffic diversions may utilize within a two mile radius of a blocked crossing. The EIS analysis should document whether or not alternate routes include other grade crossings, if the other grade crossings involve other railroads, and whether passenger trains utilize the alternate crossings.

The Honorable Anne K. Quinlan
February 11, 2008
Page Two

- Evaluate areas where new grade separations are required. The EIS analysis should include an analysis primarily of safety related criteria such as bus routes, emergency vehicle access, hospital access, traffic volumes, vehicle mix (including trucks and hazmat), and train/vehicle collision history & prediction rates, etc. The need for grade separations should secondarily be based on factors such as train operations, crossing blockages and highway capacity.

Thank you again for the opportunity to comment on the proposed CN acquisition of the EJE. I encourage you to consider the comments provided as the EIS process moves forward. If you have any questions, please contact Michael Stead, Rail Safety Program Administrator, at (217) 557-1285 or mstead@icc.illinois.gov.

Very truly yours,

A handwritten signature in black ink, appearing to be 'T Anderson', with a long horizontal line extending to the right.

Tim Anderson
Executive Director

cc: Vicki Rutson, STB

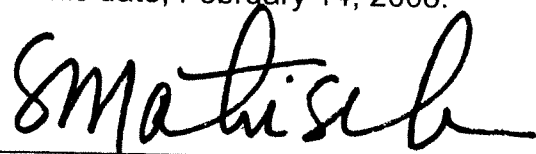
MES

Finance Docket No. 35087

Canadian National Railway Company and Grand Trunk Corporation
– Control –
EJ&E West Company

Certificate of Service

I hereby certify that the foregoing document was served on all parties of record listed on the Surface Transportation Board's service list as of this date, February 14, 2008.

A handwritten signature in black ink, appearing to read "S. Matrisch", written over a horizontal line.

Steven L. Matrisch